

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2014-001555

01/20/2015

HONORABLE WILLIAM L. BROTHERTON JR.

CLERK OF THE COURT

R. Thomas

Deputy

IN RE THE MARRIAGE OF  
KOLINA LURIE ROMNEY

KENNETH G ROYER

AND

TAYLOR ROMNEY

TIMOTHY W DURKIN

MINUTE ENTRY

Courtroom CCB 603

11:50 a.m. This is the time set for a Resolution Management Conference in regard to Petitioner's August 28, 2014 Petition for Dissolution of a Non-Covenant Marriage With Children and Respondent's September 17, 2014 Response thereto. Petitioner/Mother, Kolina Lurie Romney, is present with counsel, Kenneth G. Royer. Respondent/Father, Taylor Romney, is present with counsel, Timothy W. Durkin.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Kolina Lurie Romney and Taylor Romney are sworn.

Discussion is held.

After discussion the parties reach an agreement on some of the issues, which is dictated into the record in the presence of both parties and can be generally summarized as follows:

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- The parties shall share joint legal decision-making authority of the minor children, Cailyn Emma Romney born July 11, 2006, Aiden Kimball Romney born December 2, 2011 and Gavin Noble Romney born January 15, 2014;
- Father shall exercise parenting time with the minor children every other Wednesday beginning at 5:00 p.m. until Sunday at 8:00 a.m.;
- Father shall exercise parenting time with the minor children on alternating Wednesdays from 5:00 p.m. until Friday at 5:00 p.m.;
- The parties shall equally divide parenting time during the holidays;
- The parties shall draft and submit a Parenting Plan Agreement outlining the Rule 69 Agreement entered today;
- Mother shall exercise parenting time with the minor children at all other times not expressly ordered above;
- The parties shall keep all firearms secured in either a locked box or gun safe.

Father and Mother both testify that they have heard and understood the agreement as dictated into the record, and that this is, in fact, their agreement.

The Court accepts the parties' agreement having found that the parties knowingly, intelligently and voluntarily entered into said agreement and that it is in the best interests of the parties' minor children and is equitable.

**THE COURT FINDS** that the parties have entered into a binding Rule 69 agreement, which will be enforceable by the Court consistent with the record made by counsel.

**IT IS ORDERED** approving and adopting the agreements of the parties pursuant to Rule 69, Arizona Rules of Family Law Procedure.

**IT IS FURTHER ORDERED** that neither party nor any other person shall use corporal (physical) punishment with the minor children.

**IT IS FURTHER ORDERED** setting Trial to the Court regarding spousal maintenance, disposition of marital residence, 2014 taxes, child support and attorney fees on **April 20, 2015 at 1:30 p.m. (one-half day allotted)** in this Division before:

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**The Honorable William L. Brotherton Jr.**  
**Maricopa County Superior Court**  
**Central Court Building**  
**201 W. Jefferson**  
**6th Floor, Courtroom 603**  
**Phoenix, AZ 85003**

Failure of a party to appear at the stated time for the hearing may result in the court allowing the party who does appear to proceed by default. Failure of both parties to appear on time may result in this action being dismissed.

**IMPORTANT: YOU MUST FILE A PRETRIAL STATEMENT AND SUBMIT YOUR EXHIBITS AS DESCRIBED BELOW IN ADVANCE OF THE TRIAL. FAILURE TO COMPLY MAY RESULT IN DENIAL OF SOME OR ALL OF THE RELIEF REQUESTED.**

**IT IS FURTHER ORDERED:**

1. **Pretrial Statements.** The parties shall file and provide this Division and the opposing party with a copy of a **Joint Pretrial Statement** or **Separate Pretrial Statements** pursuant to Rule 76, Arizona Rules of Family Law Procedure, no later than 5 days before trial. If US mail is used to provide the pretrial statement, enough time should be taken to ensure that the Court and the opposing party receive the document no later than 5 days before trial.

The Pretrial Statement shall include:

- a. All information required by Rule 76.
- b. A description of each disputed issue the court must decide, and a statement of each party's position on that issue. Absent good cause shown, failure to list an issue in the Pretrial Statement will be deemed a waiver of that issue.
- c. If there are disputed legal decision making (formerly "legal custody") or parenting time (formerly "visitation") issues, a specific proposal for legal decision making and parenting time.
- d. If there are disputed child support issues, a current Parent's Worksheet for Child Support Amount completed by each party.

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e. If there are disputed issues regarding property and debt, a detailed Inventory of Property and Debts, including each party's proposed division of property and debts.

f. If spousal maintenance is requested and disputed, each party shall state the amount and duration of spousal maintenance requested.

g. A list of witnesses to be called at trial. Absent good cause shown, failure to list a witness will result in that witness being excluded.

h. A list of exhibits to be used at trial. Absent good cause shown, failure to list an exhibit will result in that exhibit being excluded.

i. A list of objections to the other party's exhibits. Any objection not listed in the Pretrial Statement will be deemed waived.

2. **Trial Exhibits.** Exhibits for use at trial shall be delivered to the Clerk of this Division at least **five (5) business days** before trial for marking, not including weekends, holidays or the day of the proceeding. **If exhibits are not delivered to the Clerk five business days in advance, you may be required to use trial time for the marking of exhibits.** In addition, each party shall deliver a copy of his/her exhibits to the opposing parties at least five business days before trial. Duplicate exhibits shall not be presented.

If US mail is used to provide the trial exhibits, enough time should be taken to ensure that the Court and the opposing party receive the exhibits no later than 5 days before trial.

This Division requests that counsel and the parties **DO NOT PROVIDE** an extra copy of exhibits to the judge on the day of the trial.

3. **Witnesses** – Be aware that due to time limitations and the importance of each party's testimony, there may be insufficient time to call witnesses at trial. All witnesses must be disclosed in advance to the opposing party as provided by the Arizona Rules of Family Law Procedure. Unless otherwise instructed by the Court, **DO NOT BRING MINOR CHILDREN TO THE COURT AT ANY TIME.**

4. **Time Allotted.** Pursuant to Rule 77(C)(5), Arizona Rules of Family Law Procedure, each party presumptively will be allowed half of the available time to present all direct, cross and redirect examination and any argument. For each hour of trial time, this court generally allocates 25 minutes to each party. The parties are expected to complete the trial in the allotted time. If a party believes that more trial time is needed, he or she must file a motion at least 30 days before the trial setting forth good cause to enlarge the trial time. Failure to timely file such a motion

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will be deemed a waiver of any argument that more trial time is needed. No motion to extend time will be considered unless it contains (1) an avowal that the other side has been contacted, and (2) the position of the other party.

5. **Settlement.** Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the court as required by Rule 70, Arizona Rules of Family Law Procedure. If the parties reach a full settlement before trial, the court will vacate the trial only if (1) it receives a Notice of Settlement pursuant to Rule 70, Arizona Rules of Family Law Procedure, or (2) both parties inform the court of the settlement in an on-the-record telephonic conference. Oral notification to court staff or voicemail messages left with the court are insufficient. If the parties desire to place agreements on the record, they should contact this Division to schedule a telephonic conference.

6. **Continuances.** Motions to continue the trial filed more than 30 days before trial will not be granted absent a showing of good cause. Motions to continue the trial filed less than 30 days before trial will not be granted absent a showing of extraordinary circumstances. No motion to continue will be considered unless it contains (1) an avowal that the other side has been contacted, and (2) the position of the other party.

7. **Disclosure and Discovery.**

a. Both parties shall complete all disclosure required by Rules 49, 50 and 91, Arizona Rules of Family Law Procedure, including an exchange of all relevant information, documents and exhibits at least 30 days prior to trial.

b. All depositions and discovery contemplated by Rules 49 through 65, Arizona Rules of Family Law Procedure shall be completed 15 days before trial.

8. **Discovery And Other Pre-Trial Disputes.** If the parties have a dispute concerning discovery matters, or any other pre-trial dispute that requires court intervention, they shall contact this division to schedule a telephonic conference before filing formal discovery motions. Before such telephonic conference, counsel or the parties shall personally consult with each other to either resolve the dispute or narrow the issues.

9. **Trial Record.** All court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting this division five (5) business days before the scheduled hearing.

12:11 p.m. Matter concludes.

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**IT IS FURTHER ORDERED** signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

/ s / JUDGE WILLIAM L. BROTHERTON

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HONORABLE WILLIAM L. BROTHERTON  
JUDICIAL OFFICER OF THE SUPERIOR COURT

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.